



23 April 2026

9(2)(a) privacy

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**Official Information Request**  
**Our Ref: OIA 2026-0048**

I refer to your Official Information Act 1982 (OIA) request received by the Public Service Commission (the Commission) on 6 March 2026 regarding the Code of Conduct for the Public Sector (the Code), workplace bullying data, costs, and measurement frameworks.

For ease of reference, we have listed each of your requests (numbered 1 – 25 and 28 – 34) and provided our responses directly underneath.

**Requests 1 – 3**

*A. Policy rationale and business need*

- 1. The business case, policy rationale, problem definition, or options analysis that led to the development or revision of the Public Service Code of Conduct.*
- 2. Any advice, briefing papers, internal memoranda, Cabinet material, or Ministerial briefings relating to the need for the Code and the outcomes it was intended to achieve.*
- 3. Any analysis or evidence relied upon to support the conclusion that a revised or new Code of Conduct was required.*

On 4 February 2026, the Public Service Commissioner (the Commissioner) issued an updated Code. The updated Code took effect on 30 March 2026.

The Code sets standards of integrity and conduct for public servants and the public sector organisations they work in, providing a shared foundation and commitment to integrity. It encourages ethical behaviour and decision-making, while fostering a culture centred on a spirit of service, integrity and transparency. This is intended to maintain and strengthen the trust and confidence of the Government and the public in our ability to perform our roles efficiently and effectively, with the highest standards of integrity.

*The Commissioner's role to promote integrity, accountability, and transparency:*

The Commissioner's general functions include to promote integrity, accountability, and transparency throughout agencies in the State services, including by setting standards and

issuing guidance (section 44(b) Public Service Act 2020). Key methods for achieving this include the Commissioner:

- setting minimum standards of integrity and conduct under section 17 of the Public Service Act 2020, which may include standards relating to the public service values and principles
- issuing related guidance under section 19 of the Public Service Act 2020.

The Code of Conduct for the Public Sector (the Code) was developed in line with the Commission's ['Action plan to strengthen integrity'](#). A key objective of this work programme is to help shift the Commission's focus from responding to poor behaviour to proactively strengthening the system to prevent it. Reissuing the Code is a key action of the Action Plan.

The Standards of Integrity and Conduct (the Standards), which the Code replaces, were issued in 2007 under authority of the then State Sector Act 1988, section 57 (that Act is now repealed). While the Public Service Act 2020 contained relevant savings provisions in relation to the Standards (meaning they continued in effect), it was timely to review its content and consider how it may be updated because:

- the Standards were issued under a now repealed Act and still referenced that Act, so could cause confusion,
- it would be a more accurate reflection of legislation for the standards to reflect the current Public Service Act 2020, and
- due to the length of time since the Standards were issued, it was necessary to identify whether any changes ought to be made for improved clarity, to introduce new standards befitting our modern context, or remove any outdated components.

Additionally, on 10 September 2025, the Office of the Auditor-General published its report [Promoting integrity in the Public Service](#). One of four recommendations of this report was that the Commission update its main Code (of conduct) as soon as practicable. Work was already underway, however, this also supported the urgency for the Code to be updated and this work to be completed.

#### *Refreshing the Code:*

The key objective of the project was to review and update the Code and related guidance to make sure it:

- reflects and is consistent with the Public Service Act 2020, including the public service values and principles
- is in line with current best practice and approaches to issuing codes of conduct
- remains accessible (or improves), i.e., it is user-friendly and in plain language, and able to be translated into HR policies and practices of agencies to whom it applies, and
- would be supported appropriately with required baseline integrity learning, to support both implementation and compliance by agencies and public servants

The Code is also a core system and public signpost for the minimum standards of integrity and conduct expected of the Public Sector and public servants. It supports public

understanding of the required behavioural expectations of public servants and thereby, promotes public trust and confidence in the system.

Once the decision was made that a refreshed Code was required, the Commission also undertook a literature review for best practice on developing codes of conduct/ethics. We also reviewed corporate codes and comparable jurisdictions' codes to help identify different approaches for organising and issuing codes, and the specific standards that are applied. This assisted with a gaps analysis and options for revising standards for improved clarity.

### Information being released

Please find enclosed the following documents:

Item	Date	Document Description	Decision
1	April 2025	DRAFT Code of Conduct – Internal commissioning document	Released in full
2	April 2025	Presentation: Introduction to the Code	Released in full
3	23 January 2026	Memo to the Commissioner: Code of Conduct for the Public Sector – decisions to set standards and issue guidance	Released in part

I have decided to release the documents listed above, subject to information being withheld under the following sections of the OIA, as applicable:

- section 9(2)(a) – to protect the privacy of natural persons, including deceased people
- section 9(2)(h) – to maintain legal professional privilege.

In making my decision, I have considered the public interest considerations in section 9(1) of the OIA.

### Information publicly available

The following information is also covered by requests 1 – 3 and is publicly available on the Commission's website at the links provided in the table below:

Item	Date	Document Description	Website Address
4	July 2025	The Commission's Action plan to strengthen integrity, 2025-2028	<a href="https://www.publicservice.govt.nz/role-and-purpose/integrity-and-conduct/work-we-are-doing-to-strengthen-integrity-and-conduct">https://www.publicservice.govt.nz/role-and-purpose/integrity-and-conduct/work-we-are-doing-to-strengthen-integrity-and-conduct</a>

5	29 January 2026	Ministerial Report: MoSR 2026-0001: Issuing The Code of Conduct for the Public Sector	<a href="https://www.publicservice.govt.nz/assets/DirectoryFile/OIA-2026-0017-Information-request-regarding-updated-Code-of-Conduct-for-the-Public-Service.pdf">https://www.publicservice.govt.nz/assets/DirectoryFile/OIA-2026-0017-Information-request-regarding-updated-Code-of-Conduct-for-the-Public-Service.pdf</a> Refer to pages 5-7 of this link.
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Accordingly, I have refused your request for the documents listed in the above table under section 18(d) of the OIA on the grounds that the information requested is or will soon be publicly available. Some relevant information has been removed from documents listed in the above table and should continue to be withheld under the OIA, on the grounds described in the documents.

### **Requests 4 – 7**

#### *B. Cost of development and implementation*

4. *The total cost incurred to develop the Public Service Code of Conduct.*
5. *A breakdown of development costs where available, including staff time, contractors or consultants, legal review, communications, stakeholder engagement, and programme management*
6. *The total cost associated with implementation and rollout of the Code, including training, communications, guidance materials, or system changes.*
7. *Any procurement or contract records relating to external suppliers engaged in developing or implementing the Code*

### **Information being released - Requests 4 – 7**

The Commission spent **\$9,375.00** (GST exclusive) on the illustrations for the Code, and **\$4,395.00** (GST exclusive) with the Crown Law Office. At the time of your request, the total external cost to develop the Code was **\$13,770.00** (GST exclusive).

The Commission does not have a record of the time our staff spent in developing the Code and therefore cannot produce an estimate of the cost associated with the development work. The Commission also does not hold any procurement or contractual records related to external suppliers involved in developing the Code, noting agreement on the scope of the illustrative work was captured in emails with the provider. I am therefore refusing these parts of your requests under section 18(e) of the OIA on the grounds that this information does not exist.

The Commission held an in-person training day for Integrity Champions (approximately 70 Tier 2 and 3 leaders from across the public sector) who are the key contact person in agencies to raise awareness of the Code, coordinate implementation and support with escalation of any integrity or conduct concerns. The Commission is expecting final costs for catering, which included a morning tea and light lunch, to total **\$621.10** GST inclusive (or approximately \$8.87 per head GST inclusive).

## **Requests 8 – 10**

### *C. Measurement and evaluation framework*

8. Any evaluation framework, monitoring framework, outcomes framework, or key performance indicators used by the Commission to measure the effectiveness of the Code of Conduct.

9. Any baseline measurements or datasets used prior to the Code taking effect that will allow the Commission to assess change following implementation.

10. Any reporting plans or schedules for publishing data relating to workplace bullying, harassment, or related conduct issues across the Public Service.

### **Information does not exist – Request 8**

The Commission has not developed any evaluation framework, monitoring framework, outcomes framework, or key performance indicators to measure the effectiveness of the Code of Conduct. I am therefore refusing request 8 under section 18(e) of the OIA on the grounds that this information does not exist.

### **Information being released – Requests 9 – 10**

In 2025, Te Taunaki Public Service Census included questions on integrity culture and unacceptable behaviour including bullying, racial and sexual harassment. The Commission plans to run the survey again in 2027 after the revised Code has been implemented.

Results from the 2025 survey are publicly available on the Commission’s website at the link provided in the table below:

<b>Item</b>	<b>Date</b>	<b>Document Description</b>	<b>Website Address</b>
6	July 2025	Te Taunaki Public Service Census – Unacceptable behaviour	<a href="https://www.publicservice.govt.nz/data/public-service-census/integrity/unacceptable-behaviour">https://www.publicservice.govt.nz/data/public-service-census/integrity/unacceptable-behaviour</a>

This page will be updated with results from the 2027 survey when available. The exact timing of the 2027 survey has not yet been decided. The Commission publishes when it expects to release data on our public data releases calendar: <https://www.publicservice.govt.nz/data/data-releases-calendar>.

### *Public Service Amendment Bill: Sections 94A and 94B*

The [Public Service Amendment Bill](#) proposes a [new section 94A](#) that will require certain chief executives to notify the Commissioner before commencing an investigation into allegations of misconduct or serious misconduct by a senior public service employee (i.e., those who report directly to the chief executive or the board). A proposed new section 94B requires each agency to give a report to the Commissioner on the outcome of all investigations into alleged misconduct or serious misconduct by employees of the agency that have ceased or are concluded before the end of a financial year, as soon as practicable

after the end of that financial year. The Commissioner must use this information to prepare and publish a report annually on an internet site maintained by, or on behalf of, the Commission. The Amendment Bill is currently scheduled for its third reading. You can follow the progress of the Amendment Bill [here](#).

### **Requests 11 – 25 and 28 – 29**

#### *D. Workplace bullying and harassment data*

*For each of the last five financial years (or the longest period available), please provide any aggregate data held by the Commission relating to bullying and harassment within the Public Service, including:*

- 11. Total number of complaints received by agencies.*
- 12. Number of complaints escalated beyond internal HR handling.*
- 13. Number of independent investigations initiated.*
- 14. Number of substantiated findings.*
- 15. Number of disciplinary outcomes arising from substantiated findings.*
- 16. Number of complaints involving senior leaders or executives where such data is recorded.*
- 17. Number of repeat complaints arising within the same agency or under the same Chief Executive.*

#### *E. Financial cost of workplace harm processes*

*For each of the last five financial years (or the longest period available), please provide any aggregate data held relating to expenditure arising from bullying or harassment matters, including:*

- 18. Employment-related legal costs.*
- 19. Mediation costs.*
- 20. Settlement payments (in aggregate form where confidentiality obligations apply).*
- 21. External investigation costs.*
- 22. Contractor backfill costs associated with complaint-related staff departures.*
- 23. Recruitment and onboarding costs associated with replacing employees who exited within six months of a formal complaint, where such costs are recorded*

#### *F. Workforce impact indicators*

*24. Any data held relating to employees who exited roles within three to six months after filing a formal complaint.*

*25. Any data held relating to employer-funded mental health or wellbeing support accessed by employees during or after bullying or harassment complaint processes*

*G. Direct complaints to the Public Service Commission*

*28. The number of complaints or concerns relating to bullying or harassment received directly by the Commission from public servants.*

*29. Of those complaints, the number that were:*

*a. investigated independently by the Commission*

*b. referred back to the relevant agency or Chief Executive*

*c. referred to the Employment Relations Authority or other external bodies.*

**Information does not exist – Requests 11 – 25**

On Tuesday 10 March 2026, we emailed you to advise that the Commission does not hold requests 11 to 25. We understand that you are seeking a centralised record of this information across the public service, as you note in your email that you are seeking information on the “*broader monitoring of bullying, harassment, and psychological harm across the New Zealand Public Service*”. As the Commission does not hold a centralised record across the public service of the information requested in requests 11 to 25, we are refusing these requests under section 18(g) of the OIA, on the basis that the information requested is not held by the Commission, and we have no grounds for believing that the information is held by another department, interdepartmental venture or Minister of the Crown or organisation, or by a local authority.

**Substantial Collation or Research – Requests 28 – 29a – c**

On Tuesday 17 March 2026, we emailed you to advise that while some of the information in requests 28 and 29a-c is held by the Commission, it is not readily available and will require substantial collation by Commission staff. We requested you provide the time period you would like us to cover in our response to requests 28 and 29a-c, however we have not had a response. I am therefore refusing your request under section 18(f) of the OIA as the information requested cannot be made available without substantial collation or research.

**Requests 30 – 31**

***Your requests:***

*H. Demographic information*

*30. Any demographic data held relating to bullying or harassment complaints, including gender and ethnicity where such information is recorded.*

*31. Any guidance issued to agencies regarding the collection or reporting of demographic data relating to workplace harm.*

### **Information does not exist**

The Commission does not collect demographic data relating to bullying and harassment complaints across the Public Service. I am therefore refusing request 30 under section 18(e) of the OIA on the ground that the information does not exist. However, you may be interested in Te Taunaki Public Service Census results on experiencing bullying and harassment, which includes a breakdown for ethnicity and gender. You can access this data via the link provided as Item 6 in response to requests 9 and 10.

The Commission has not issued any guidance to agencies regarding the collection or reporting of demographic data relating to workplace harm at the time of your request. I am therefore refusing request 31 under section 18(e) of the OIA on the ground that the information does not exist.

### **Requests 32 – 34**

*I. Where information is not centrally held. If any of the information requested above is not held by the Commission, please provide:*

*32. Any documents, briefings, or internal advice explaining why this information is not centrally collected or monitored.*

*33. Any policy rationale explaining why such data is not centrally captured across Public Service agencies.*

*34. Any documentation describing how agencies are expected to monitor workplace bullying, harassment, or psychological harm under the Code of Conduct and the Health and Safety at Work Act 2015.*

### **Information does not exist**

I am refusing requests 32 to 34 under section 18(e) of the OIA on the ground that the information does not exist. Responsibility for monitoring workplace bullying, harassment, and psychological harm rests with individual chief executives, and the Commission does not hold any documents, briefings, or internal advice addressing why the information you have requested is not centrally collected or monitored.

As outlined in response to request 10, the Public Service Amendment Bill proposes a new section 94A and 94B. The Commission is preparing guidance that will set out what information agencies need to provide the Commission under the new section 94B

requirements. This has not yet been finalised, noting the Bill has not yet passed its third reading.

If you wish to discuss this decision with us, please feel free to contact [Enquiries@publicservice.govt.nz](mailto:Enquiries@publicservice.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that we intend to publish this response (with your personal details removed) on the Commission's website.

Yours sincerely



Nicky Dirks

**Manager – Ministerial and Executive Services**  
**Te Kawa Mataaho Public Service Commission**

## Replacing minimum standards of integrity and conduct aka the public service Code of Conduct

### **Background**

*The Public Service Act 2020 replaced the State Sector Act 1988, carrying over the power to issue minimum standards of integrity and conduct and saving the pre-existing code of conduct*

1. The Public Service Act 2020 (the PS Act) replaced the former State Sector Act 1988, with most provisions (including setting minimum standards) coming into effect on 7 August 2020.
2. The PS Act's framework continues application of the Standards of Integrity and Conduct or the code of conduct (the Code), which was issued last in 2007 under section 57 of the State Sector Act 1988 (see Sch 1, cl 8, PS Act). In addition to continuing the Code's application, the PS Act provides that the Code '...is to be treated as containing minimum standards set by the Commissioner under section 17...until any part or all of its contents are altered or replaced by minimum standards set after [7 August 2020].<sup>1</sup>

*The Commissioner is empowered to set minimum standards of integrity and conduct, including standards relating to the public service values and principles*

3. The Public Service Commissioner (Commissioner) has an oversight role for the performance and integrity of the system (s 43(1), PS Act), and has a general function to promote integrity, accountability, and transparency throughout agencies in the State services, including by setting standards and issuing guidance (s 44(b), PS Act). The key mechanism for achieving this has been the use of discretion<sup>2</sup> to set minimum standards of integrity and conduct, which may include standards relating to the public service values and principles (s 17, PS Act).

#### Content considerations:

4. Key provisions relevant in considering proposed content when setting new minimum standards of integrity and conduct, include:
  - Section 11: Purpose [of the public service]
  - Section 12: Public service principles – these are necessary to achieve the purpose in section 11, and are stated as (a) politically neutral, (b) free and frank advice, (c) merit-based appointments, (d) open government, and (e) stewardship.
  - Section 13: Spirit of service to community – the fundamental characteristic of the public service
  - Section 14: Crown's relationships with Māori – the role of the public service includes supporting the Crown in its relationships with Māori under the Treaty of Waitangi
  - Section 16: Public service values – these are (a) impartial, (b) accountable, (c) trustworthy (d) respectful, and (e) responsive. The values are given effect to only through minimum standards set by the Commissioner.
  - Section 22: Rights and freedoms of public service employees – acknowledges rights and freedoms affirmed in NZBORA.

<sup>1</sup> Compare: State Services Act 1988, section 57, which also provided the Commissioner discretion to set minimum standards of integrity and conduct by issuing a code of conduct.

<sup>2</sup> The PS Act review is proposing to strengthen the existing discretion to a mandatory requirement.

Process requirement:

5. Note, there is a requirement to consult agencies to which minimum standards of integrity and conduct will apply (s 17(4), PS Act).

*Agencies<sup>3</sup> must comply with minimum standards of integrity and conduct, and implementation support for compliance may include issuing of guidance*

6. Several provisions are relevant to compliance and effective implementation of the Code:

Compliance:

- Section 18: Agencies must comply with minimum standards unless exception granted – for example, consider how this requirement is operationalised and the extent to which there is monitoring and/or enforcement to ensure compliance.
- Section 12: Public service chief executives, interdepartmental executive boards, interdepartmental ventures, and boards of Crown agents are responsible for upholding the Public Service principles when carrying out their responsibilities and functions and ensuring that the agencies and/or boards they lead or carry out some functions within also do so
- Section 13: Public service leaders, interdepartmental executive boards, boards of interdepartmental ventures, and boards of Crown agents must preserve, protect and nurture the Spirit of Service

Implementation:

- Section 19: Guidance on integrity and conduct – this discretion enables PSC/the Commissioner to articulate how agencies may give effect to the minimum standards, but unlike the minimum standards, is not technically binding.
- Section 20: Required content of guidance on political neutrality – this section sets out specific content requirements for any guidance issued under section 19 on the public service principle of political neutrality.<sup>4</sup>

7. Implementation is also supported via the BAU functions of the Commission's IES group, e.g., education support for agencies, and Integrity Champions network.

*Previous work has occurred to replace/update the Code to reflect the PS Act*

8. A process to replace the Code to reflect the new PS Act commenced roughly in early 2021. Several phases of work were completed as required with key stakeholders, including extensive planning and discovery, iterative drafting, refined design, consultation and feedback incorporation.
9. The final draft Code was near completion in late 2023, however, the previous Commissioner, Peter Hughes, was unable to confirm its content prior to completing his tenure in February 2024.
10. An interim Commissioner was appointed until the current Commissioner, Sir Brian Roche, commenced his role on 4 November 2024. In the supervening time the work was paused.

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<sup>3</sup> Public service agencies means departments, departmental agencies, interdepartmental executive boards and interdepartmental ventures (s 10, PS Act).

<sup>4</sup> Note, current guidance on the principles, including on political neutrality was issued [xxxx].

*Integrity and Ethics has been asked to reinvigorate efforts to update the Code as part of our work programme*

11. The Commissioner has directed the Commission to update the Code, and this workstream has been allocated to the Integrity and Ethics group. Key people are:
  - Project sponsor: Hugo Vitalis, DCE Strategy, Policy and Integrity
  - Project owner: Victoria Girling, Manager, Integrity and Ethics
  - Project lead (core Code): Te Vaerangi Minster, Senior Advisor, Integrity and Ethics
  - Project support (Code guidance/training): Arpita Das, Senior Advisor, Integrity and Ethics
  - Project working group: Kate Salmond, Chief Advisor, SPI, Stephanie Wyse, Principal Advisor, Integrity and Ethics, Tula Garry, Principal Advisor, Integrity and Ethics, Victoria Girling, Manager, Integrity and Ethics Arpita Das, Senior Advisor, Christine Lloyd, Senior Advisor, Te Vaerangi Minster, Senior Advisor.
12. We understand expectations are to complete this work alongside the current review of the PS Act and delivered simultaneously, i.e., roughly October/November 2025.

*The scope of the Code update should include supporting guidance and provision of mandatory baseline integrity training*

13. There will likely be a lead-in implementation time for the Code so that agencies have time to receive the new Code and prepare internally prior to when it will apply to them, e.g., provide the Code in roughly Oct/Nov 2025 with application of the Code roughly Feb/March 2026.
14. To support this, we would develop complementary guidance and mandatory baseline integrity training. This will be supported by the Leadership Development Centre and we have engaged with the Australian Public Service Commission Academy about their mandatory induction modules.

*The PS Act is also currently under review but this is not expected to impact the Code refresh work*

15. Some of the currently identified PS Act review proposals directly touch on the provisions related to setting minimum standards of integrity and conduct but are not expected to impact drafting a new Code. For example, the Commissioner's section 17 discretion to set minimum standards is proposed to be strengthened to a mandatory requirement; while the Commissioner is expected to be exercising this power in setting new minimum standards/issuing a refreshed Code.

### **Objectives**

16. The key objective of this project is to review and update the Code and related guidance to make sure it:
  - Reflects and is consistent with the PS Act (i.e., is current)
  - Remains accessible (or improves), i.e., it is user-friendly and simple, able to be translated into HR policies and practices of agencies to whom it will apply/used as a minimum standard for employment.
17. A secondary objective is to develop mandatory baseline integrity training to support agencies' implementation of the updated Code.

### **Why is this important?**

18. The Code is a core system and public signpost for the minimum standards of integrity and conduct expected of public servants. It supports public understanding of behavioural and service expectations for public servants and thereby promotes public trust and confidence in the system.
19. Although it is not required, it is implicit that we should keep the Code under a reasonable level of review to ensure it is fit for purpose.
20. Setting a Code is a key mechanism for the Commissioner to fulfil the statutory function of promoting integrity, accountability and transparency throughout agencies in the State services, including by setting standards and issuing guidance.

#### **Why is this important to do now?**

21. The current Commissioner, Sir Brian Roche, commenced tenure in November 2024. It is an opportune time for him to signal an intent to review and where relevant, update the Code so that it reflects his expectations for minimum standards of integrity and conduct. This can help reaffirm his commitment to his role, under his general functions.
22. The PS Act carried over the existing Code (Sch 1, cl 8), so the existing Code does not neatly reflect the structure or expectations of the Public Service and chief executives as outlined in the PS Act. Setting a new Code would seek to more explicitly reflect the PS Act framework, including key provisions such as the principles and values.
23. A review of best practice and approaches to issuing Codes, including comparable jurisdictions, will help identify any areas where minimum standards could be strengthened, including any potential gaps. This is important to ensure that the Code can account for today's circumstances and is as strong as necessary for safeguarding the integrity of the system and the public's trust and confidence in the system and its actors.
24. There is an opportunity to align completion of this project with the review of the PS Act, so that any interdependencies can be identified and considered. Aligning projects also streamlines communications about important changes impacting the public sector.
25. New principles guidance was recently released. This guidance should be easily linked to the Code by anyone who wants to use both. However, the current Code does not reflect the PS Act principles explicitly, which may be confusing for some.

#### **What is the deliverable?**

26. The key deliverable is a **draft updated Code** for the Commissioner to consider and confirm as he sees fit.
27. Note, given the timeframes for delivery and previous background research from earlier draft versions, it is recommended to sharpen the focus/purpose of consultation. For example, some tight engagement with key stakeholders prior to drafting, with main consultation on an already drafted Code. It is not recommended to adopt a broad co-design approach to develop the draft (as in 2021) as it would be lengthy and resource intensive, with little anticipated added value given we have recorded the main insights from those processes already.
28. Actions to achieve the key deliverable include:
  - Initial research, planning and scoping – includes comparative analysis of comparable jurisdictions' Code content and approach, alignment analysis of existing Code to PS Act framework (gap analysis), and any relevant thematic identification in corporate Codes

<ul style="list-style-type: none"> <li>▪ Pre-consultation (if desired) with a small set of expert stakeholders</li> <li>▪ Draft/design Code internally, taking into account concerns raised in pre-consultation; iterative drafting in working group, reporting back to sponsor regularly who in turn, will report to Commissioner and feedback to the process</li> <li>▪ Confirm a consultation draft with Commissioner</li> <li>▪ Agencies' consultation (mandatory)</li> <li>▪ Feedback (incorporate/address as necessary)</li> <li>▪ Updated draft for Commissioner</li> <li>▪ Communications – review/draft key messages, visual design</li> <li>▪ Launch – confirm approach, social media &amp; other comms</li> </ul> <p>29. Related deliverables to support effective implementation include:</p> <ul style="list-style-type: none"> <li>▪ Guidance (under section 19, PS Act)</li> <li>▪ Learning resources (LDC) and PSC training/education for agencies</li> <li>▪ Launch – confirm approach, social media &amp; other communications</li> </ul>	
<p><b>Success criteria</b></p> <p>30. The success criteria below assume that the existing compliance/enforcement framework is sufficient, so doesn't require updating.</p> <p>31. To be successful the Code should:</p> <ul style="list-style-type: none"> <li>▪ Meet Commissioner's expectations</li> <li>▪ Be drafted in plain English and easy to navigate</li> <li>▪ Be easily implemented, e.g., won't be overly burdensome on affected agencies to adopt and where possible, supported by detailed guidance and training</li> <li>▪ Be consistent with related TKM guidance (expect that existing guidance and TKM materials reflect the updated Code)</li> <li>▪ Have buy-in from key stakeholders (internal - Brian, Hugo, and to the extent possible in the timeframe, external – Heads of HR, Integrity Champions and/or CEs/PSLT)</li> <li>▪ Written in a way that allows public servants to be held accountable for not meeting them</li> </ul>	
<p><b>Leading indicators (KR)</b></p> <p><i>(These are things we do to increase the likelihood of hitting our Objective - Something we have direct control over; Something we can act on and change, like an action or task)</i></p> <ul style="list-style-type: none"> <li>▪ Early identification and engagement with internal and external stakeholders</li> <li>▪ Early identification of any support required</li> <li>▪ Realistic project planning/ scope and timeframes</li> </ul>	<p><b>Lagging indicators (KR)</b></p> <p><i>(These are things that are the result of what we did - Something that we don't have direct control over; A quantitative measure of an outcome.)</i></p> <ul style="list-style-type: none"> <li>▪ There is buy-in from internal and external stakeholders involved in the process, in relation to the content of the draft Code.</li> <li>▪ The draft Code is considered easy to understand and apply in practice.</li> <li>▪ Integrity Champions have launched the Code within their agencies</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Agencies have reviewed their Code to ensure alignment and reported back to us on this.</li> </ul>
<p><b>Who can influence the objective?</b>  <i>(Who can produce the desired effect? Who could obstruct it? Who are the consumers or users of our product? Who will be impacted by it?)</i></p> <p><i>External</i></p> <ul style="list-style-type: none"> <li>▪ The OAG could: <ul style="list-style-type: none"> <li>○ provide a complementary perspective of integrity to the work</li> </ul> </li> <li>▪ Heads of HR could: <ul style="list-style-type: none"> <li>○ provide feedback on implications for their work (in both managing integrity and conduct issues and updating their related policies)</li> </ul> </li> <li>▪ Integrity Champions: <ul style="list-style-type: none"> <li>○ could provide a small working group to help test ideas around the draft Code and proactively bring the work to the attention of their agencies</li> </ul> </li> <li>▪ Public servants could: <ul style="list-style-type: none"> <li>○ provide feedback on how the Code could be improved</li> </ul> </li> </ul> <p><i>Internal</i></p> <ul style="list-style-type: none"> <li>▪ IES and Legal could: <ul style="list-style-type: none"> <li>○ assist in obtaining feedback from external and internal stakeholders (TBC)</li> <li>○ be available to test ideas, review early draft material and provide leadership on the project (IES: Hugo Vitalis, Kate Salmond, Victoria Girling, Tula Garry, legal)</li> </ul> </li> <li>▪ Communications Team could: <ul style="list-style-type: none"> <li>○ provide best practice advice around user-friendly guidance</li> </ul> </li> <li>▪ HOS could: <ul style="list-style-type: none"> <li>○ provide opportunities to test ideas and material with Commissioner and Dep Commissioners if/when appropriate</li> </ul> </li> </ul>	
<p><b>Timeframe</b>  Deliver alongside the PS Act proposed amendments – Code issued roughly October/November 2025, with application from roughly Feb/Mar 2026.  <a href="#">High-level timeline for Code of Conduct refresh .pptx</a></p>	

# Codes of Conduct

# Code refresh project

- Brian has requested a refreshed Code of conduct / minimum standards of integrity and conduct
- Make clear what our 'bottom lines' are and drive an ethical public service culture
- Launch roughly late Oct/early Nov, alongside Public Service Act reforms
- Products – Code, updated guidance, mandatory training
- Working group role – support the design and draft of the new Code and related guidance and training

# Minimum standards of integrity and conduct – section 17, Public Service Act 2020

- S 17(1): The Commissioner may set minimum standards of integrity and conduct, including standards relating to –
  - (a) The public service values
  - (b) The public service principles.
- **The Act does not explicitly prescribe content or form** (other than it must be in writing and notified to agencies to whom it applies).
  - The Act's current framework implies that minimum standards of integrity and conduct ought to cover both principles and values in content.
  - Proposed amendments aim to lift the current discretion to a requirement to set minimum standards relating to the public service values and principles.

# What is a Code of conduct and why we have one

- A public service code of conduct tells public servants how we are expected to do our work and in doing so, the behaviours expected of us.
  - In context of public service ethos – spirit of service, purpose, values and principles
- It is an essential framework for maintaining the highest standards of ethics and professionalism, which in turn promotes trust and confidence in the public service.
  - **Trust and confidence of the Government of the day / Ministers**, that we will do the best job possible and facilitate pursuit and administration of their policies
  - **Trust and confidence of the public**, in serving the public interest with both a devoted spirit of service and an ethical compass guiding our actions and behaviours
  - **Trust and confidence within the public service** – we can rely on each other, including our leaders, and the systems and processes that enable us all to maintain these high standards
- A code should work through its supporting systems and actors to drive a culture of high expectations and integrity, which is valued by all.

# What makes a good Code of conduct?



A strong code of conduct provides both a standard against which to assess behaviour, and guidance to help navigate ethical issues.



It has elements of both aspirational and rules-based codes.

Aspirational: Sets out broad ethical principles and values  
Rules-based: contains a specific list of behaviours and actions that are required as a minimum and behaviours that are not tolerated



A robust code does not simply endorse general principles such as 'impartiality' or 'neutrality', but specifies what does and does not constitute these in the line of duty.

Bright lines and sufficient guidance

# What supports a good Code of conduct?

- A code of conduct needs to be embedded into a wider integrity system with strong checks and balances and accountability mechanisms.
- Successful implementation requires a number of elements, including:
  - Endorsement/active promotion by organisational leadership – culture setting
  - Administrative structures to monitor, review and guide compliance (incl. training)
  - Adequate mechanisms to enforce rules and apply disciplinary measures.

# Common content features of Codes of Conduct

- Codes of conduct tend to have three main features:
  - 1. General ethical principles / values**
  - 2. Detailed provisions specifying both required and unacceptable behaviours (the standards)**
  - 3. Raising concerns / compliance**
- How the codes are presented varies, but generally includes the 3 features above.
- Length – comparable jurisdictions' codes range between 3 and 10 pages.
- Both positively and negatively framed values-based standards – dos and don'ts

# Common content features of Codes of Conduct

- Other aspects/key sections:
  - **Instrument**
  - **Introduction / foreword**
  - **Objectives / purpose of the code**
  - **Application**
  - **How to use the code**
  - **Rights and responsibilities**
  - **Not comprehensive**
  - **Importance of the law**

# How are standards presented in Codes of conduct?

- Three key ways of presenting standards identified:
  1. Set out as a list
  2. Grouped underneath values-based headings
  3. Themed by topic, within sections based on relevant values

# Examples – standards set out as a list

- **Australia**

- There is no grouping by statutory values or principles, but contextually the code is alongside values, employment principles, and compliance provisions.
- Behaving in a way that upholds the public service values and principles is required and is itself a specific standard (section 11).
- The content of each list standard reflects the values and principles.

## 13 The APS Code of Conduct

- (1) An APS employee must behave honestly and with integrity in connection with APS employment.
- (2) An APS employee must act with care and diligence in connection with APS employment.
- (3) An APS employee, when acting in connection with APS employment, must treat everyone with respect and without harassment.
- (4) An APS employee, when acting in connection with APS employment, must comply with all applicable *Australian law* means:
  - (a) any Act (including this Act), or any instrument made under an Act; or
  - (b) any law of a State or Territory, including any instrument made under such a law.
- (5) An APS employee must comply with any lawful and reasonable direction given by someone in the employment to give the direction.
- (6) An APS employee must maintain appropriate confidentiality about dealings that the employee has with staff.
- (7) An APS employee must:
  - (a) take reasonable steps to avoid any conflict of interest (real or apparent) in connection with the employment;
  - (b) disclose details of any material personal interest of the employee in connection with the employment.
- (8) An APS employee must use Commonwealth resources in a proper manner and for a proper purpose.
- (9) An APS employee must not provide false or misleading information in response to a request for information for official purposes in connection with the employee's APS employment.
- (10) An APS employee must not improperly use inside information or the employee's duties, status, power or position:
  - (a) to gain, or seek to gain, a benefit or an advantage for the employee or any other person; or
  - (b) to cause, or seek to cause, detriment to the employee's Agency, the Commonwealth or any other person.
- (11) An APS employee must at all times behave in a way that upholds:
  - (a) the APS Values and APS Employment Principles; and
  - (b) the integrity and good reputation of the employee's Agency and the APS.
- (12) An APS employee on duty overseas must at all times behave in a way that upholds the good reputation of the APS.
- (13) An APS employee must comply with any other conduct requirement that is prescribed by the regulation.

# Examples – standards framed by values

- **UK:**
  - Relevant legislation identifies four core values, without defining these.
  - The Code pithily defines the values in a way that could have broad application.
  - Standards of behaviour section is headed by the specific value.
  - Defined values are reflected in specific behavioural standards/rules.

## Civil Service values

The statutory basis for the management of the Civil Service is set out in Part 1 of the [Constitutional Reform and Governance Act 2010](#).

The Civil Service is an integral and key part of the government of the United Kingdom<sup>[footnote 1]</sup>. It supports the government of the day in developing and implementing its policies, and in delivering public services. Civil servants are accountable to ministers<sup>[footnote 2]</sup>, who in turn are accountable to Parliament<sup>[footnote 3]</sup>.

As a civil servant, you are appointed on merit on the basis of fair and open competition and are expected to carry out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality. In this code:

- 'integrity' is putting the obligations of public service above your own personal interests
- 'honesty' is being truthful and open
- 'objectivity' is basing your advice and decisions on rigorous analysis of the evidence
- 'impartiality' is acting solely according to the merits of the case and serving equally well governments of different political persuasions

These core values support good government and ensure the achievement of the highest possible standards in all that the Civil Service does. This in turn helps the Civil Service to gain and retain the respect of ministers, Parliament, the public and its customers.

## Standards of behaviour

### Integrity

You must:

- fulfil your duties and obligations responsibly
- always act in a way that is professional<sup>[footnote 5]</sup> and that deserves and retains the confidence of all those with whom you have dealings<sup>[footnote 6]</sup>
- carry out your fiduciary obligations responsibly (that is make sure public money and other resources are used properly and efficiently)
- deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability
- ensure you have Ministerial authorisation for any contact with the media<sup>[footnote 7]</sup>
- keep accurate official records and handle information as openly as possible within the legal framework
- comply with the law and uphold the administration of justice

You must not:

- misuse your official position, for example by using information acquired in the course of your official duties to further your private interests or those of others
- accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity
- disclose official information without authority (this duty continues to apply after you leave the Civil Service)

# Examples – standards framed by values

- **Canada:**
  - Relevant legislation commits to establishing a Charter of Values of Public Service, setting out the values that should guide public servants in their work and professional conduct. However, the legislation does not specify any values.
  - The Code therefore identifies five core values with a modest ‘statement of values’ section.
  - Standards/expected behaviours section is set out below the statement of values, with a related chapeau for each.

## Statement of Values

These values are a compass to guide public servants in everything they do. They cannot be considered in isolation from each other as they will often overlap. This Code and respective organizational codes of conduct are important sources of guidance for public servants. Organizations are expected to take steps to integrate these values into their decisions, actions, policies, processes and systems. Similarly, public servants can expect to be treated in accordance with these values by their organization.

## Respect for Democracy

The system of Canadian parliamentary democracy and its institutions are fundamental to serving the public interest. Public servants recognize that elected officials are accountable to Parliament, and ultimately to the Canadian people, and that a non-partisan public sector is essential to our democratic system.

## Expected Behaviours

Federal public servants are expected to conduct themselves in accordance with the values of the public sector and these expected behaviours.

### 1. Respect For Democracy

*Public servants shall uphold the Canadian parliamentary democracy and its institutions by:*

- 1.1 Respecting the rule of law and carrying out their duties in accordance with legislation, policies and directives in a non-partisan and impartial manner.
- 1.2 Loyal carrying out the lawful decisions of their leaders and supporting ministers in their accountability to Parliament and Canadians.
- 1.3 Providing decision makers with all the information, analysis and advice they need, always striving to be open, candid and impartial.

# Examples – standards themed by topic, relevant to values

- **Victoria (AUS)**

- Sections of the Code containing standards are headed by the relevant legislated value
- Expected behaviours/standards are grouped by topics
- Standards are mainly described objectively, rather than outlined as a list of rules.

## Demonstrating Impartiality

4

**Impartiality** – public officials should demonstrate impartiality by:

- (i) making decisions and providing advice on merit and without bias, caprice, favouritism or self-interest; and
- (ii) acting fairly by objectively considering all relevant facts and fair criteria; and
- (iii) implementing Government policies and programs equitably.

*(Public Administration Act 2004, s. 7)*

### 4.1 Decisions and Advice

Public sector employees make decisions and provide advice that is free of prejudice or favouritism and is based on sound judgement. Before making a decision or providing advice, public sector employees consider relevant information and the impact on the Government, community and other public sector employees. Their decisions are not affected by personal influences.

## Demonstrating Accountability

5

**Accountability** – public officials should demonstrate accountability by:

- (i) working to clear objectives in a transparent manner; and
- (ii) accepting responsibility for their decisions and actions; and
- (iii) seeking to achieve best use of resources; and
- (iv) submitting themselves to appropriate scrutiny.

*(Public Administration Act 2004, s. 7)*

### 5.1 Working to Clear Objectives

Public sector employees understand the objectives of their role. Public sector managers and supervisors provide encouragement, support and a clear sense of direction and purpose. Employees who are unclear about their goals discuss this with their manager or supervisor.

## Examples – standards themed by topic, relevant to values

- **Corporate – AirNZ**

- Four core principles frame the ways staff are expected to work and behave and how the business will operate.
- Topics relevant to each principle are used to group the standards.
- Modest description of the intent behind the standards introduces/describes the topic and provides context for the specific standards.

### Our Business Principles are at the heart of our Code of Conduct and Ethics.

They form the foundation of how our Company does business everywhere we operate, and reflect the commitments we make to our people, our business partners, shareholders and stakeholders.

#### TREAT PEOPLE FAIRLY AND WITH RESPECT

##### Merit-based Talent Acquisition

*We are committed to attracting, developing and advancing the best people through a fair and merit-based process, which is free from bias and discrimination. We adhere to all employment regulations regarding staff, contractors and other complementary workforce (outsourced workers, agents).*

##### What this means for you:

- Base your decisions about recruitment, selection, development and advancement of people on merit.
- Never allow race, colour, religion, gender, disability, age, country of origin, sexual orientation, ethnic belief, gender identity, marriage status or any other characteristic protected by any applicable law to influence your judgement.
- Understand your responsibilities and comply with all applicable labour and employment laws.
- Expect others you work with (contractors, agents, joint ventures) to act in a way that is consistent with our fair treatment and equal opportunity standards.
- Report any breaches of law or this Code, or any incidents that are inconsistent with our commitment to equal opportunity, inclusion and diversity when you become aware of them. Cooperate with company investigations.

##### Treat people fairly and with respect

- We will not tolerate any form of discrimination, harassment or bullying.
- We will treat people fairly, with dignity and will pursue equality of opportunity and inclusion through our labour policies and practices.
- We value diversity of people and thought.
- We will recruit, select and develop our people on merit – irrespective of age, race, colour, origin, gender, religious beliefs, disability, family or marital status, sexual orientation, political opinion or other prohibited grounds.
- We will perform at our best, demonstrating professionalism, living our values and operating with acute customer focus at all times. We will proactively address under-performance.
- We will work in good faith, within the appropriate legal framework, with trade unions and other bodies that our people collectively choose to represent them.
- We trust each other to deliver on our commitments and obligations, and value collaboration as the best means of working together to achieve superior outcomes.
- We will empower our people to enhance their personal potential by offering satisfying and challenging work and career opportunities, investing in development and personal growth.

# Code content – public service principles (section 12)

- The principles are fundamental features of the way in which the Public Service operates (how we work).
- In order to achieve the purpose [of the public service] the public service principles are:
  - **Politically neutral** – to act in a politically neutral manner
  - **Free and frank advice** – when giving advice to Ministers, to do so in a free and frank manner
  - **Merit-based appointments** – to make merit-based appointments (unless an exception applies under this Act)
  - **Open government** – to foster a culture of open government
  - **Stewardship** – to proactively promote stewardship of the public service, including of –
    - (i) Its long-term capability and its people
    - (ii) Its institutional knowledge and information
    - (iii) Its systems and processes
    - (iv) Its assets
    - (v) The legislation administered by agencies.

# Code content – public service values (section 16)

- The values describe the necessary behaviours of public servants to maintain the integrity of the Public Service (how we behave).
- The public service values are to seek –
  - **Impartial** – to treat all people fairly, without personal favour or bias
  - **Accountable** – to take responsibility and answer for its work, actions, and decisions
  - **Trustworthy** – to act with integrity and be open and transparent
  - **Respectful** – to treat all people with dignity and compassion and act with humility
  - **Responsive** – to understand and meet people’s needs and aspirations.
- The values are given effect to only through minimum standards set by the Commissioner



# MEMORANDUM



Te Kawa Mataaho  
Public Service Commission

[IN CONFIDENCE]

**To:** Sir Brian Roche, Public Service Commissioner

**From:** Victoria Girling, Manager, Integrity and Ethics

**Copies to:** Hugo Vitalis, Deputy Chief Executive, Strategy, Policy and Integrity

**Date:** Friday 23 January 2026

**Subject:** Code of Conduct for the Public Sector – decisions to set standards and issue guidance

## **Purpose**

1. This memo recommends that you issue a new Code of Conduct for the Public Sector (the Code). This requires exercising your statutory powers under section 17 and 19 of the Public Service Act 2020 (the Act) to set minimum standards of integrity and conduct and issue related guidance.

## **Why we are updating the Code**

2. We have been working to refresh and replace the *Standards of Integrity and Conduct* (issued in 2007) to modernise its language and content and to reflect provisions of the Act, including the public service values and principles. Updating this is also a key action in our *Action Plan to Strengthen Integrity*. The process we followed, and next steps are outlined in **Appendix A**.
3. The Act contains the following powers to support you to issue the Code:
  - Section 17: to set minimum standards of integrity and conduct, including standards relating to the public service values and principles
  - Section 19: to issue guidance that relates to the minimum standards set under section 17.

Under section 18 of the Act, agencies, individuals and groups must comply with the minimum standards set under section 17 that apply to them. Both minimum standards and guidance must be issued in writing and notified to the relevant agencies (sections 17 and 19).

## **Summary of consultation**

4. When applying or varying the application of a minimum standard, the Commissioner must consult on the proposed content of that standard with all agencies in or to which it will apply (s 17(4)). Formal consultation with those agencies on a draft of the Code closed on 17 October 2025. As outlined in our [thematic analysis](#), which you received on 1 December 2025, there is strong support to introduce the Code. A summary of consultation themes will be published on our website when the Code is issued.
5. On 8 December 2025, we met with you to discuss key consultation themes and receive your feedback on a post-consultation revised draft Code, which incorporated changes to address feedback. The table below outlines key issues/risks we discussed and the actions we proposed.

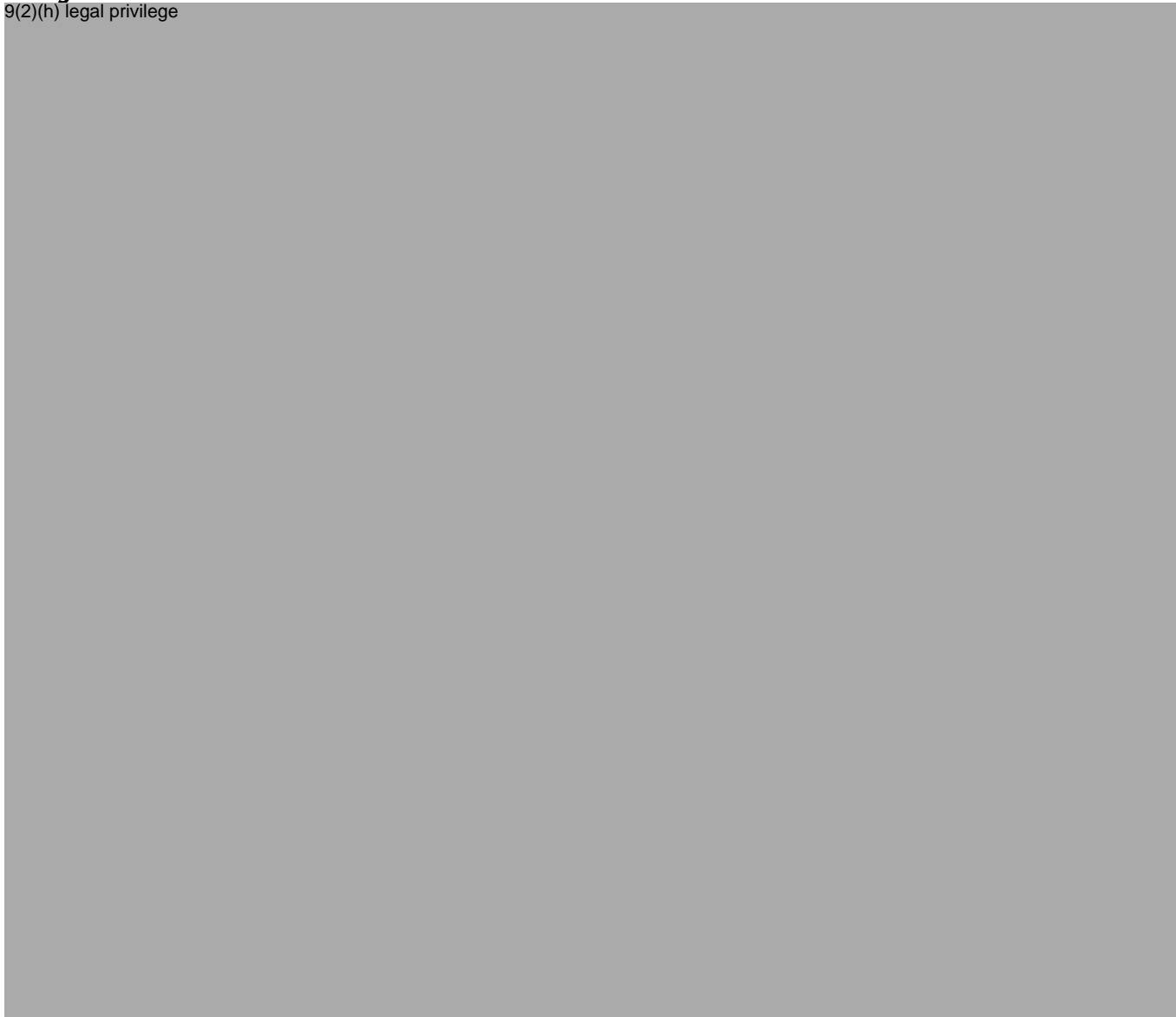
Key issue/risk	Action taken
Guardians of New Zealand Superannuation (the Guardians) request for an exemption or variation of the Code	Letter sent to Guardians outlining reasons why the Code can still apply and changes made to the Code to address some of their concerns. We met with the Guardians to discuss on

[IN-CONFIDENCE]

	21 January 2026. Minor changes to the introduction have consequently been made to respond to their concerns.
PSA, APEX/Resident Doctors Association, did not support the Code as drafted	Considered feedback and made several changes to address some of their concerns. We will write to them outlining how their concerns have been responded to and where their proposals have not been accepted.
Health sector concerns – intersection with professional obligations	<p>We have reviewed the content regarding how the Code’s political neutrality requirements apply concurrently with professional obligations.</p> <p>The proposed response to these concerns includes developing scenario-based guidance in consultation with relevant stakeholders after the Code is issued.</p>
Te Tiriti o Waitangi   Treaty of Waitangi and the Māori Crown relationship inclusion in the Code	We discussed with you options on how we address this and agreed on including recognition of Te Tiriti that aligns with section 14 of the Act, in the introduction of the Code.

**Legal review of the Code**

9(2)(h) legal privilege



9(2)(h) legal privilege

### ***NZBORA assessment***

12. Public decision-makers must act consistently with the rights set out in the NZBORA. This means that where decisions limit NZBORA rights, the limit must be reasonable and demonstrably justified, and the decision-maker should be able to demonstrate that they undertook an NZBORA assessment.
13. The Code requires public servants to act in a politically neutral manner, and to respect the authority of the Government of the day. In practice, this means that public servants are not able to exercise their right to freedom of expression where to do so would compromise their ability to perform their role in a politically neutral way, or in a way that may impact the confidence of Ministers or the public in the political neutrality of the Public Sector.
14. Political neutrality is a cornerstone of the public service, and a key constitutional convention. The limitation on freedom of expression is acknowledged in section 20 of the Act, which requires any guidance on the principle of political neutrality to address the right to freedom of expression. The Code covers this in the political neutrality section. The guidance also makes it clear that the restriction on freedom of expression is context dependent and is only applied to the extent necessary to protect political neutrality, taking into account the seniority of the role, the nature of the work, and the nature of the political activity concerned.
15. This reflects the existing standards and guidance relating to political neutrality and freedom of expression for public servants, and continues a reasonable and justified limitation under NZBORA.

### ***Code implementation and Integrity Learning***

16. We expect the Code will be issued by early February, with a transition period for agencies until 30 March 2026 when we recommend the Code takes effect.
17. The Leadership Development Centre is developing *Integrity Essentials* learning to support implementation of the Code. Given feedback received through consultation on timeframes of the learning, and potential for overlap with existing learning, we agreed the following approach:

*Integrity Essentials* is made of two groups of learning

- The **required learning** provides an overview of the Code and Election guidance for all public servants. These will be expected to be completed prior the Election in 2026.
- The **comprehensive learning** provides more in-depth learning, and resources developed to support a range of learners. This includes learning on the public service values and principles, political neutrality, conflicts of interest and fraud and corruption. We suggest a phased approach to implementing this learning and prioritising learning based on need.

The required learning and initial comprehensive learning will be available to agencies in March 2026 (when the Code takes effect). Further learning resources will be delivered over 2026.

18. We are asking agencies, to let us know how they plan to implement the Code and the learning by 01 June 2026. This will help to ensure the Code is implemented in a timely manner and that we are aware of the activity agencies are undertaking to do so.

### ***We have finalised the Code and recommend it is issued***

19. We recommend that you issue the Code (**Appendix B**), which contains minimum standards and guidance on integrity and conduct, related to the public service values and principles. This requires you to exercise statutory discretions available to you under the Act to –

- set minimum standards of integrity and conduct that relate to the public service values and principles, and apply those standards to all entities listed under section 17(2) of the Act,<sup>1</sup> except for school boards of trustees, and
- issue guidance related to those minimum standards under section 19 of the Act.

**Application of the Code**

20. To issue the Code to the relevant Public Sector agencies, you must write to the chief executives and board chairs to notify them of both the minimum standards’ application to them and the guidance (ss 17(6) and 19(3)). A draft template letter is attached for your approval at **Appendix C**. Individual letters will be tailored to each Public Sector agency the Code will apply to.
21. Note, the Act now includes the Parliamentary Counsel Office (PCO) within your mandate to set minimum standards of integrity and conduct. PCO were consulted on the draft Code, and we recommend applying the Code to it and all other agencies listed under section 17(2), except for school boards of trustees.
22. As we have previously discussed, we do not recommend issuing the Code to school boards of trustees as the then Minister of Education has issued a Code to School Boards, and the Secretary for Education may set a code of conduct for the education service under the Education and Training Act 2020.

**Recommendations**

23. It is recommended that you:

- |  |   |
|--|---|
| <p><b>1</b> <b>Agree</b> to the following under section 17 of the Public Service Act 2020 (the Act):</p> <p>(a) To set minimum standards of integrity and conduct, as outlined in the attached Code of Conduct for the Public Sector (Appendix B), and</p> <p>(b) To apply those standards to agencies listed in section 17(2) of the Act, other than school boards.</p> | <p>Agree / Disagree</p> <p>Agree / Disagree</p> |
| <p><b>2</b> <b>Agree</b> to issue guidance related to minimum standards as outlined in the attached Code of Conduct for the Public Sector (Appendix B) to the agencies listed in section 17(2) of the Act, other than school boards.</p>   | <p>Agree / Disagree</p>                         |
| <p><b>3</b> <b>Approve</b> the letter of notice issuing the Code of Conduct (Appendix C).</p>  | <p>Approve / Do not approve</p>                 |

Victoria Girling  
 Manager Integrity and Ethics

Sir Brian Roche  
 Public Service Commissioner  
 Date:

**Appendix A: Process for developing the Code**

**Appendix B:**  [Appendix B Code of Conduct For final sign off.pdf](#)

**Appendix C:**  [Appendix C letter of notice issuing the Code.docx](#)

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<sup>1</sup> The public service (including Crown agents), Crown entities (other than Crown agents and excluding tertiary education institutions, and Crown Research Institutes and their subsidiaries), companies named in Schedule 4A of the Public Finance Act 1989, and the Parliamentary Counsel Office.

**Appendix A: Process for developing the Code**

<b>Project Phase and Deliverables</b>	<b>Status</b>
<b>Commissioning and discovery</b> – review of existing materials from previous work, literature review, including identification of best practice for writing codes of conduct, review of select jurisdictions’ codes of conduct for the public service and corporate codes of conduct.	Complete
<b>Content development for consultation</b> – working group established to iteratively develop and test draft content, project sponsor group established to provide direction and oversight (e.g., confirm approach and draft content, manage key risks and relationships), pre-consultation testing of draft content with select internal and external stakeholders, seeking feedback from you.	Complete
<b>Statutory consultation</b> – Your approval given to open consultation on draft Code, website and associated communications developed and published, notice of consultation provided to Chief Executives and Board Chairs of relevant Public Sector agencies, workshops with Integrity Champions and heads of legal, information updates to heads of comms and HR.	Complete
<b>Post-consultation analysis and content updates</b> – thematic analysis of submissions including recommendations to address substantive feedback, discuss thematic analysis with you, present post-consultation approach to Risk and Audit Committee, revise the draft Code and address key risks prior to issuing it, final editing/proof-reading, and legal review (with Crown Law Office).	Complete
<b>Final decisions on Code content</b> – You are asked to review and approve: <ul style="list-style-type: none"> <li>▪ the Code, including content of minimum standards and related guidance contained within the Code</li> <li>▪ proposed design of the Code</li> <li>▪ issuing letters (provided to agencies to advise that the Code applies to them).</li> </ul>	Papers to your office by 23 January 2026.  Decisions by 29 January
<b>Implementation preparation</b> – revise consultation/Code webpage, develop pack to support agencies/key audiences to implement the Code (e.g., summary, resources, checklists, key messages, alternate formats, etc.), complete design of Code.	Underway  To be completed by 2 February
<b>Issue Code to the Public Sector</b> – We will issue the Code to relevant agencies on your behalf, provide a briefing to our Minister advising of Code’s issue (includes PR opportunity and noting a process for managing requests for exceptions under section 18).	Brief to Minister on 30 January 2026.  Code to be issued 3 February 2026.
<b>Code effective date / implementation</b> – Code takes effect and training roll-out commences, continued implementation support provided to agencies as required. Agencies asked to advise of implementation steps taken/to be taken.	30 March 2026  Agencies to advise us by 1 June 2026.